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PART III.

Legislative Measures and Rules thereunder.

REGULATION No. IV OF 1913.

A REGULATION TO REGULATE THE USE OF MOTOR VEHICLES IN MYSORE.

Received the assent of His Highness the Maharaja on the 26th September 1913.

Preamble.

WHEREAS it is expedient to regulate the use of motor vehicles in Mysore; His Highness the Maharaja is pleased to enact as follows :—

Short title.

1. (1) This Regulation may be called the Mysore Motor Vehicles Regulation, 1913.

Local extent.

(2) It extends to the whole of Mysore.

Commencement.

(3) It shall come into force on the 1st day of October 1913.

Definitions. Motor Vehicles.

2. (1) "Motor Vehicles" shall include all vehicles constructed to be propelled, entirely or partially, by mechanical means on roads.

"Registering Officer."

(2) "Registering Officer" shall mean the Inspector-General of Police or any other person who may be appointed by Government either by name or by virtue of his office for registering motor vehicles within a particular area.

Registration of Motor Vehicles.

3. After three months from the date on which this Regulation comes into force, and after the owner has had reasonable opportunity for having the motor vehicle registered under

the same, no person shall drive a motor vehicle on a public road or thoroughfare unless it has been registered under this Regulation or under any similar enactment in force for the time being in any part of British India or in the Civil and Military Station, Bangalore.

Grant of license.

4. (1) A license to drive a motor vehicle may be granted by the District Magistrate or such other authority as may from time to time be empowered by Government by notification in the Gazette, to any person over the age of 18 years, applying for it on payment of a fee of Rs. 2.

Duration and renewal of license.

(2) Every license shall remain in force for a period of 12 months from the date on which it is granted, but shall be renewable, and the same provisions shall apply to the renewal of the license as apply to the grant thereof.

Refusal to grant or renew license and cancellation of license.

(3) Subject to the control of Government, the licensing Officer may refuse to grant or renew a license, or may cancel a subsisting license; but in all such cases, he shall previously give notice to the person applying for the license or its renewal, or the holder of the license to appear before him, either in person or by an agent, at a place and time to be specified in such notice and to show cause why the application for the grant or the renewal of the license should not be refused, or why the license should not be cancelled for all or any of the reasons specified in such notice and may, after hearing him or his agent, if either of them appears, refuse the application for the grant or renewal of the license, or may cancel the license for all or any of such reasons to be recorded in writing and may, where the license is cancelled, require the license-holder to surrender the same within a time to be specified in such requisition.

Transfer and surrender of license.

5. The holder of a license shall not lend it to, or allow it to be used by, any other person and shall surrender it on being required to do so under Section 4.

Production of license.

6. The driver of a motor vehicle shall produce his license upon demand by any Police officer above the rank of a constable who is in uniform or wears other sufficient indications of his office.

Obligation to stop vehicle for regulating traffic and in case of accident.

7. The person in charge of a motor vehicle shall cause the vehicle to stop and to remain stationary so long as may reasonably be necessary—

(*a*) when requested to do so by any Police officer who is in uniform or wears other sufficient indications of his office for the purpose of regulating traffic or of ascertaining his name and address in view to prosecute such person under this Regulation or for any purpose connected with the enforcement of the provisions of this Regulation and the rules framed thereunder, or any other law for the time being in force, or

(*b*) when requested to do so by any person having charge of a horse or other animal (whether led, driven or ridden) which appears to be frightened by the motor vehicle, or

(*c*) when he knows or has reason to believe that an accident has occurred to any person or to any animal or vehicle in charge of a person owing to the presence of the motor vehicle on the road, and

he shall also, if so required, give his name and address and the name and address of the owner of such motor vehicle.

Obligation to carry lights attached to vehicles.

8. During the period, between half an hour after sunset and one hour before sunrise, the person in charge of a motor vehicle shall carry attached thereto lights of such description and so situated as the Government may, by rule under section 9, direct.

Power of Government to make rules.

9. (1) The Government may, after previous publication, make rules to regulate the use of motor vehicles in the whole or any part of Mysore.

(2) In particular and without prejudice to the generality of the foregoing power, the Government may make rules under this section containing directions as to all or any of the following matters, namely :—

(*a*) the conditions under which the motor vehicles may be registered, the fee payable for registration, and the notification of changes of ownership to the registering officer ;

(*b*) the assignment of distinguishing numbers to motor vehicles on registration and the display thereof in prominent positions on the vehicles ;

(*c*) the provision and use on motor vehicles of adequate brakes or other means of stoppage and the testing of their efficiency ;

(*d*) the provision and use on motor vehicles of bells, horns or other instruments for giving audible and sufficient warning of their approach or position ; and the prohibition of the use of any particular signal by other vehicles than motors;

(*e*) the description of lights to be carried on motor vehicles and the position in which they should be placed ;

(*f*) the conditions under which licenses to drivers of motor vehicles may be granted, renewed or cancelled;

(*g*) the speed at which motor vehicles may be driven ;

(*h*) the precautions to be observed when motor vehicles are standing in any street or public place ;

(*i*) for prohibiting the driving of motor vehicles in any place where their use may be attended with danger to the public; or regulating the hours within which motor vehicles may be driven, or the hours within which no vehicle other than a motor vehicle shall be driven in any such place ;

(*j*) generally, for preventing danger or injury to persons, animals, vehicles or goods by motor vehicles and for preventing obstruction to traffic by them.

No person may drive without license.

10. After three months from the date on which this Regulation comes into force, and after he has had reasonable opportunity of obtaining a license under this Regulation no person shall drive a motor vehicle, without such license or a license granted under a similar enactment in force in British India or in the Civil and Military Station, Bangalore, on a public road or thoroughfare or employ so to drive a motor vehicle any person who is not so licensed.

Power of Government to prohibit letting or plying for hire, except under permit.

11. (1) The Government may, by the publication of a notification prohibit within any local area or along any road specified in such notification the letting or plying for hire of any motor vehicle, except under a permit granted by them, or by such officer, if any, as they may appoint in this behalf, subject to such general or special conditions as the Government or such officer may see fit to prescribe.

(2) The grant of any such permit shall be at the absolute discretion of the Government, or of such officer subject to the control of the Government.

Provided that the grant of a permit under sub-section (1) shall not in any way hinder or restrict the grant of another permit to any other person.

Penalty for breach of certain sections or rules.

12. Any person committing a breach of sections 3, 5, 6, 7, 8, 10 and 11 or of any rule made under section 9, shall on conviction be liable to a fine which may extend to fifty rupees, or, in the case of a second or subsequent conviction, to one hundred rupees;

13. No offence punishable under this Regulation shall be enquired into and tried by a Magistrate of the 3rd class.

Enquiry into and trial of offences.

14. Notwithstanding anything hereinbefore contained, the Government may, by the publication of a notification, exempt, either generally or for a specified period, any particular motor vehicles or classes of motor vehicles from the operation of all or any of the provisions of this Regulation, and may vary or rescind such notification.

Power of Government to exempt certain vehicles from operation of Regulation.

M. VISVESVARAYA,
Dewan.

NOTIFICATION.

No. 4044—L. B. 330-11-5, dated Bangalore, 2nd October 1913.

Under Section 5 of the Mysore Public Conveyance Regulation, VII of 1911, the Government are pleased to make the following rules for the regulation and control of Public Conveyances in the area under the control of the Kolar Gold Fields Sanitary Board. These rules when published in three successive issues of the official Gazette will have the force of law.

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1. These rules are applicable not only to Public Conveyances that are kept for hire within the area under the control of the Kolar Gold Fields Sanitary Board but also to all public conveyances, except bullock carts, that, though not kept for hire, habitually ply for hire in that area.

2. Every hackney carriage shall be annually licensed by the registering officer and no person shall keep, or offer, or ply for hire, any hackney carriage except under license granted in that behalf under these rules.

Note.—The Registering Officer shall be the officer, for the time being, holding the office of the District Superintendent of Police.

3. Any license granted under these rules shall ordinarily continue in force until the 30th day of June after the grant of such license.

4. The Registering Officer shall receive applications for, and shall grant or refuse, licenses as he may think fit. Licenses shall be granted to owners subject to all the provisions contained in these rules and to the following conditions:—

(1) That the carriage is in good order and repair in all its parts.

(2) That it is provided with two lamps in the case of carriages of 1st, 2nd and 3rd classes, and with one lamp in the case of those of the 4th class.

(3) That the horse is not or the horses are not less than the height named in the class in which the vehicle is licensed, *viz.*, 14-2 high for the 1st and 2nd class and 11-3 hands for the 3rd class, and that no animal shall be worked at less than three years of age.

He shall class every hackney carriage at his discretion in one of the four following classes:—

1. First class carriage.
2. Second do
3. Third class, jutkas.
4. Fourth class, bullock carts.

5. The horses and ponies to be used in licensed carriages shall be thoroughly broken to harness, in good condition, free from sores, and fit for public use. The harness shall be complete and in serviceable order. Each driver should have a whip. The use of sticks or leather straps is prohibited.